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72689 7590 07/21/2008 SHUMAKER & SIEFFERT, P.A. 1625 RADIO DRIVE, SUITE 300 WOODBURY, MN 55125				
EXAMINER BADAWI, SHERIEF				
ART UNIT 2167		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/756,960

Applicant(s)

WILSON ET AL.

Examiner

SHERIEF BADAWI

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-55 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 13 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 4/10/2008
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. The Amendment filed on April 10, 2008 has been received and entered. Application 10/756,960 Claims 1-55 are now pending.

Response to Amendment

2. Applicant's amendment has overcome previous claim objection and rejection under 35 USC 112 second.
3. Applicant's amendment necessitated new grounds of rejection.
4. This action is made final in view of the new grounds of rejection.

Specification

5. The disclosure is objected to because of the following informalities: the disclosure does not include, or define the "computer readable medium" recited in claims 46-55. The computer readable medium must be defined as tangible physical article excluding signals and carrier waves.

Appropriate correction is required.

Double Patenting

6. Claim 1, 17, 33, 40, 46 and 53 of application 10/756,960 ('960 hereinafter) are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 41 of copending Application No. 10/223,813 ('813 hereinafter) and 10/339, 719 ('719 hereinafter). Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 (a) of '960 & claim 1 and 41 (b) of '813 and claim 1 of '719 is creating a working

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copy (private database) from a initial database (committed database) that stores configuration data for a network device, claim 1 (b) of '960 & 41(c) of '813 and 1 of '719 modify the working copy (private database) based on configuration commands received from a client, and claim 1 (c) of '960 claim 2 of '719 & 41 (e) of '813 is applying the configuration patch to the initial database (committed database) to update the initial database (committed database) in accordance with the differences, Claim 1 of '960 claim 20 of '719 & claim 41 (a) of '813 is to configure the network device in a private configuration mode.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-9, 12-15, 17-19, 22-25, 28-31, 33-34, 36-41, 43-46, 49, 50, 52, 53 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over, Tanner et al. (2005/0114315) filed November 24, 2003, in view of Boyle (20030070063) Published April 10, 2003.

As per Claim 1, Tanner discloses a method comprising:

locking candidate configuration data in response to command from a client to grant an archive system exclusive access to the candidate configuration data of a network device and lock the candidate configuration data so that no other clients can edit the candidate configuration data, wherein the candidate configuration data represents an editable working copy of current operational configuration data on the network device; **(See Paragraph.58, wherein a client request a lock on a configuration data associated with a functional area; as taught by Tanner)**

and committing the candidate configuration data to restore the archived configuration data as the operational configuration data of the network device; **(See Paragraph.59, lines 7-12, wherein the client commits the lock on a particular configuration; as taught by Tanner)**

However although Tanner discloses maintaining a working configuration that users can access, Tanner fails to specifically disclose loading from the archive system, archived configuration data that represents previous operational configuration data of the network device to replace the locked candidate configuration data.

On the other hand Boyle discloses loading from the archive system, archived configuration data that represents previous operational configuration data of the network device to replace the locked candidate configuration data; **(See Paragraph.26, wherein retrieving archived operational configuration is described wherein the current configuration is unavailable (similar to locked); as taught by Boyle)**

Therefore, it would have been obvious to a person of ordinary skill in the computer art at the time of the invention was made to incorporate the Boyle teaching in the Tanner system. Skilled artisan would have been motivated to retrieve archived configurations to provide a flexible and reliable method of storing working copies of configurations and provide the flexibility of choosing any archived working copy. In addition, both of the references (Tanner and Boyle) teach features

that are directed to analogous art and they are directed to the same field of endeavor, such as, managing network configurations. This close relation between both of the references highly suggests an expectation of success

As per claim 2, the rejection of claim 1 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein receiving the lock command from the client; **(See Paragraph.58, lines 9-12, wherein the client requests a lock on a particular configuration; as taught by Tanner)**

As per claim 3, the rejection of claim 2 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising maintaining a session with a client to receive the lock command; **(See Paragraph.58, wherein a session is maintained with a client, wherein a lock request is received; as taught by Tanner)**

As per claim 6, the rejection of claim 1 is hereby incorporated by reference; Tanner discloses wherein loading archived configuration data occurs in response to receiving a load command.; **(See Paragraph.58, wherein updates to the configuration is uploaded to the system; as taught by Tanner)**

As per claim 7, the rejection of claim 6 is hereby incorporated by reference; The combination of Tanner and Boyle discloses wherein the load command comprises an override attribute; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

and wherein loading the archived configuration data in response to receiving the load command includes discarding the candidate configuration and replacing the discarded candidate configuration data with the archived configuration data in response to the override attribute of the load command; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

As per claim 8, the rejection of claim 1 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein committing the candidate configuration data includes confirming the candidate configuration data prior to permanently committing the candidate configuration data; **(See Paragraph.54, wherein a confirmation is sent to the user before committing the update; as taught by Tanner)**

As per claim 9, the rejection of claim 8 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein confirming the candidate configuration data occurs in response to receiving a confirm commit command; **(See Paragraph.54, wherein a confirmation is sent to the user before committing the update; as taught by Tanner)**

As per claim 12, the rejection of claim 1 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising unlocking the candidate configuration data; **(See Paragraph.58, lines 10-15, wherein a lock release to the locked configuration is discloses; as taught by Tanner)**

As per claim 13, the rejection of claim 12 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein unlocking the candidate configuration data occurs in response to receiving an unlock command. **(See Paragraph.58, lines 10-15, wherein a lock release to the locked configuration is discloses, also See Paragraph.45, wherein commands to configure network device are applied through a user interface or a command line editor; as taught by Tanner)**

As per claim 14, the rejection of claim 13 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein locking candidate configuration data permits only a single client to edit the candidate configuration data and unlocking the candidate configuration data allows one or more clients to simultaneously edit the candidate configuration data; **(See Paragraph.58, lines 12-15, only client 102 can implement updated configuration data until the write lock is released; as taught by Tanner)**

As per claim 15, the rejection of claim 1 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein committing the candidate configuration comprises: generating a configuration patch that lists any differences between the candidate configuration data and the operational configuration data; **(See Paragraph.59, wherein differences between updated copy and copy located at other clients is detected; as taught by Tanner)**

and applying the configuration patch to the operational configuration data to update the operational configuration data in accordance with the differences; **(See Paragrph.48-49, wherein the operational configuration is updated according to the changes; as taught by Tanner)**

As per Claim 17, the combination of Tanner and Boyle discloses a device comprising:
memory to store operational configuration data and candidate configuration data, wherein the
candidate configuration data represents an editable working copy of the current operational
configuration data; **(See Paragraph.58, wherein a client request a lock on a configuration data
associated with a functional area; as taught by Tanner)**

and a control unit to lock the candidate configuration data, load archived configuration data
that represents previous operational configuration data of the network device to replace the locked
candidate configuration data, **(See Paragraph.26, wherein retrieving archived operational
configuration is described wherein the current configuration is unavailable (similar to
locked); as taught by Boyle)**

and commit the candidate configuration data to restore the archived configuration data as
the operational configuration data; **(See Paragraph.59, lines 7-12, wherein the client commits
the lock on a particular configuration; as taught by Tanner)**

As per Claim 18, the rejection of claim 17 is hereby incorporated by reference; the
combination of Tanner and Boyle discloses wherein the control unit receives a lock command; **(See
Paragraph.58, lines 9-12, wherein the client requests a lock on a particular configuration; as
taught by Tanner)**

As per Claim 19, the rejection of claim 18 is hereby incorporated by reference; the
combination of Tanner and Boyle discloses wherein the control unit further maintains a session with
a client to receive the lock command; **(See Paragraph.58, wherein a session is maintained with
a client, wherein a lock request is received; as taught by Tanner)**

As per Claim 22, the rejection of claim 17 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the control unit loads the archived configuration data in response to receiving a load command; **(See Paragraph.58, wherein updates to the configuration is uploaded to the system; as taught by Tanner)**

As per Claim 23, the rejection of claim 22 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the load command comprises an override attribute; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

and wherein the control unit discards the entire candidate configuration and replace the discarded candidate configuration data with the archived configuration data when the override attribute is enabled; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

As per Claim 24, the rejection of claim 17 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the control unit commits the candidate configuration data by confirming the candidate configuration data prior to permanently committing the candidate configuration; **(See Paragraph.54, wherein a confirmation is sent to the user before committing the update; as taught by Tanner)**

As per Claim 25, the rejection of claim 24 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the control unit confirms the candidate

configuration data in response to receiving a confirm commit command; **(See Paragraph.54, wherein a confirmation is sent to the user before committing the update; as taught by Tanner)**

As per Claim 28, the rejection of claim 17 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising the control unit to unlock the candidate configuration data; **(See Paragraph.58, lines 10-15, wherein a lock release to the locked configuration is discloses; as taught by Tanner)**

As per Claim 29, the rejection of claim 28 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the control unit unlocks the candidate configuration data occurs in response to receiving an unlock command; **(See Paragraph.58, lines 10-15, wherein a lock release to the locked configuration is discloses, also See Paragraph.45, wherein commands to configure network device are applied through a user interface or a command line editor; as taught by Tanner)**

As per Claim 30, the rejection of claim 28 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein locking candidate configuration data permits only a single client to edit the candidate configuration data and unlocking the candidate configuration data allows one or more clients to simultaneously edit the candidate configuration data; **(See Paragraph.58, lines 12-15, only client 102 can implement updated configuration data until the write lock is released; as taught by Tanner)**

As per Claim 31, the rejection of claim 17 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein committing the candidate configuration comprises the control unit to generate a configuration patch that lists any differences between the candidate configuration data and the operational configuration data, **(See Paragraph.59, wherein differences between updated copy and copy located at other clients is detected; as taught by Tanner)**

and apply the configuration patch to the operational configuration data to update the operational configuration data in accordance with the differences; **(See Paragraph.48-49, wherein the operational configuration is updated according to the changes; as taught by Tanner)**

As per Claim 33, the combination of Tanner and Boyle discloses a method comprising: issuing a lock command to lock candidate configuration data to request exclusive access to the candidate configuration data of a network device and lock the candidate configuration so that no other clients can edit the candidate configuration data, wherein the candidate configuration data represents an editable working copy of current operational configuration data of the network device; **(See Paragraph.58, wherein a client request a lock on a configuration data associated with a functional area; as taught by Tanner)**

issuing a load command to load archived configuration data that represents previous operational configuration data of the network device to replace the locked candidate configuration data; **(See Paragraph.26, wherein retrieving archived operational configuration is described wherein the current configuration is unavailable (similar to locked); as taught by Boyle)**

and issuing a commit command to commit the candidate configuration data to restore the archived configuration data as the operational configuration data of the network device; **(See Paragraph.59, lines 7-12, wherein the client commits the lock on a particular configuration; as taught by Tanner)**

As per Claim 34, the rejection of claim 33 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising establishing a session, wherein issuing the lock command, the load command, and the commit command occurs via the session; **(See Paragraph.58, wherein a session is maintained with a client, wherein a lock request is received, loading and committing changes is done; as taught by Tanner)**

As per Claim 36, the rejection of claim 33 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein issuing a commit command comprises: issuing a confirm commit command to temporarily commit the candidate configuration data to restore the archived configuration data as the operational configuration data; **(See Paragraph.54, wherein a confirmation is sent to the user before committing the update; as taught by Tanner)**

performing integrity tests to assess a state of one or more devices; **(See Paragraph.59, wherein other devices that have the copy of the configuration are assessed; as taught by Tanner)**

and selectively issuing the commit command based on the assessed state of the one or more devices; **(See Paragraph.59, wherein each client device is shown the difference between the current copy and the updates; as taught by Tanner)**

As per Claim 37, the rejection of claim 36 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising presenting one or more user interfaces having one or more inputs, wherein issuing the lock command, the load command, the commit confirm command, and the commit command occur in response to receiving states of the inputs; **(See Fig.2, wherein a user interface (GUI) is used to update configurations; as taught by Tanner)**

As per Claim 38, the rejection of claim 37 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein inputs comprise selectors, action inputs, radio buttons, pull down menus, field inputs, and check boxes; **(See Paragraph.72, wherein menus and dialogue boxes in GUI are discloses; as taught by Tanner)**

As per Claim 39, the rejection of claim 33 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising accessing a memory to retrieve the archived configuration data; **(See Paragraph.75, wherein memory is used to store configuration data; as taught by Tanner)**

As per Claim 40, the combination of Tanner and Boyle discloses an archive system comprising: a memory to store archived configuration data that represents previous operational configuration data of a network device; and a computing device to issue a lock command to lock candidate configuration data, wherein the candidate configuration data represents an editable working copy of current operational configuration data of the network device, **(See Paragraph.58,**

wherein a client request a lock on a configuration data associated with a functional area; as taught by Tanner)

issue a load command to load archived configuration data to replace the locked candidate configuration data, **(See Paragraph.26, wherein retrieving archived operational configuration is described wherein the current configuration is unavailable (similar to locked); as taught by Boyle)**

and issue a commit command to commit the candidate configuration data to restore the archived configuration data as the operational configuration data of the network device; **(See Paragraph.59, lines 7-12, wherein the client commits the lock on a particular configuration; as taught by Tanner)**

As per Claim 41, the rejection of claim 40 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the computing device further establishes a session, wherein issuing the lock command, the load command, and the commit command occurs via the session; **(See Paragraph.58, lines 9-12, wherein the client requests a lock on a particular configuration; as taught by Tanner)**

As per Claim 43, the rejection of claim 40 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the computing device issues a confirm commit command to temporarily commit the candidate configuration data to restore the archived configuration data as the operational configuration data ; **(See Paragraph.54, wherein a confirmation is sent to the user before committing the update; as taught by Tanner)**

Performing integrity tests to assess a state of one or more devices, **(See Paragraph.59, wherein other devices that have the copy of the configuration are assessed; as taught by Tanner)** and selectively issue the commit command based on the assessed state of the one or more devices; **(See Paragraph.59, wherein each client device is shown the difference between the current copy and the updates; as taught by Tanner)**

As per Claim 44, the rejection of claim 43 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein the computing device further presents one or more user interfaces having one or more inputs, wherein issuing the lock command, the load command, the commit confirm command, and the commit command occur in response to receiving states of the inputs; **(See Fig.2, wherein a user interface (GUI) is used to update configurations; as taught by Tanner)**

As per Claim 45, the rejection of claim 44 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein inputs comprise selectors, action inputs, radio buttons, pull down menus, field inputs, and check boxes; **(See Paragraph.72, wherein menus and dialogue boxes in GUI are discloses; as taught by Tanner)**

As per Claim 46, the combination of Tanner and Boyle discloses a computer-readable medium comprising instructions to cause a processor to: lock candidate configuration data in response to a command from a client to grant an _archive system exclusive access to the candidate configuration data of a network device and lock the candidate configuration data so that no other clients can edit the candidate configuration data,, wherein the candidate configuration data

represents an editable current working copy of operational configuration data; **(See Paragraph.58, wherein a client request a lock on a configuration data associated with a functional area; as taught by Tanner)**

load archived configuration data to replace the locked candidate configuration data; **(See Paragraph.26, wherein retrieving archived operational configuration is described wherein the current configuration is unavailable (similar to locked); as taught by Boyle)**

and commit the candidate configuration data to restore the archived configuration data as the operational configuration data of the network; **(See Paragraph.59, lines 7-12, wherein the client commits the lock on a particular configuration; as taught by Tanner)**

As per Claim 49, the rejection of claim 46 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising instructions to cause the processor to load the archived configuration data in response to receiving a load command, wherein the load command comprises an override attribute; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

As per Claim 50, the rejection of claim 49 is hereby incorporated by reference; the combination of Tanner and Boyle discloses further comprising instructions to cause the processor to initiate the override attribute to discard the candidate configuration and replace the discarded candidate configuration data with the archived configuration data; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

As per claim 52, the rejection of claim 46 is hereby incorporated by reference; the combination of Tanner and Boyle discloses, further comprising instruction to cause the processor to unlock the candidate configuration data; **(See Paragraph.58, lines 10-15, wherein a lock release to the locked configuration is discloses; as taught by Tanner)**

As per claim 53, the combination of Tanner and Boyle discloses a computer-readable medium comprising instruction to cause a processor to: issue a lock command to lock candidate configuration data, wherein the candidate configuration data represents a working copy of operational configuration data of a network device; **(See Paragraph.58, wherein a client request a lock on a configuration data associated with a functional area; as taught by Tanner)**

issue a load command to load archived configuration data to replace the locked candidate configuration data that represents previous operational configuration data of the network device; **(See Paragraph.26, wherein retrieving archived operational configuration is described wherein the current configuration is unavailable (similar to locked); as taught by Boyle)** and issue a commit command to commit the candidate configuration data to restore the archived configuration data as the operational configuration data of the network device; **(See Paragraph.59, lines 7-12, wherein the client commits the lock on a particular configuration; as taught by Tanner)**

As per Claim 55, the rejection of claim 53 is hereby incorporated by reference; the combination of Tanner and Boyle and discloses further comprising instructions to cause the processor to: issue a confirm commit command to temporarily commit the candidate configuration data to restore the archived configuration data as the operational configuration data; **(See**

Paragraph.54, wherein a confirmation is sent to the user before committing the update; as taught by Tanner)

perform integrity tests to assess a state of one or more devices; **(See Paragraph.59, wherein other devices that have the copy of the configuration are assessed; as taught by Tanner)**and selectively issue the commit command based on the assessed state of the one or more devices; **(See Paragraph.59, wherein each client device is shown the difference between the current copy and the updates; as taught by Tanner)**

8. **Claims 4, 5, 10, 11, 20, 21, 26, 27, 35, 42, 47, 48, 51 and 54** are rejected under 35 U.S.C. 103(a) as being unpatentable over, Tanner et al. (2005/0114315) filed November 24, 2003, in view of Boyle (20030070063) Published April 10, 2003 as previously applied to claims 1-3, 7-9, 12-15, 17-19, 22-25, 28-31, 33-34, 36-41, 43-46, 49, 50, 52, 53 and 55 and further in view of Gerraty (7233975) filed August 19, 2002.

As per claim 4, the rejection of claim 3 is hereby incorporated by reference; the combination of Tanner and Boyle discloses a lock command to a configuration however the combination of Tanner and Boyle fails to disclose wherein the lock command comprises a failsafe attribute; and wherein locking the candidate configuration data in response to receiving the lock command comprises initiating an action in response to failure of the session when the failsafe attribute is enabled.

On the other hand Gerraty discloses wherein the lock command comprises a failsafe attribute; **(See Column.9, lines 42, wherein the system comprises a failsafe attribute; as taught by Gerraty)** and wherein locking the candidate configuration data in response to receiving

the lock command comprises initiating an action in response to failure of the session when the failsafe attribute is enabled; **(See Column.9, lines 42-58, wherein the system performs a rollback in case of a time-out occurrence; as taught by Gerraty)**

Therefore, it would have been obvious to a person of ordinary skill in the computer art at the time of the invention was made to incorporate the Gerraty teachings to Tanner system. One skilled in the art at the time of the invention would have been motivated to include rollback capability to provide a crash safe system and maintain the integrity of updatable configurations. In addition, the references (Gerraty and Tanner) are analogous art and they are directed to the same field of endeavor, such as, configuration management. This close relation between both of the references highly suggests an expectation of success.

As per claim 5, the rejection of claim 4 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein initiating an action comprises executing a first rollback command to undo changes made in replacing the locked candidate configuration data with the archived configuration data prior to committing the candidate configuration data; **(See Column.9, lines 42-58, wherein the old configuration is maintained prior to the committing of the new configuration; as taught by Gerraty)**

As per claim 10, the rejection of claim 8 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein confirming the candidate configuration data comprises: temporarily committing the candidate configuration data to temporarily restore the archived configuration data as the operational configuration data; **(Wee Paragraph.53, wherein the**

updates appear on the functional area on the clients GUI temporarily until a confirmation commit is submitted to be implanted on the network device; as taught by Tanner)

subsequently enabling a timer to determine a period; (See Column.9, lines 42-88, wherein a timeout limit is disclosed; as taught by Gerraty)

and permanently committing the candidate configuration data to restore the archived configuration data as the operational configuration data in response to an occurrence of an event (See Paragraph.54, wherein a commit request is given to the user to apply changes to the network device; as taught by Tanner)

prior to the timer exceeding a pre-set time limit; (See Column.9, lines 42-88, wherein a timeout limit is disclosed; as taught by Gerraty)

As per claim 11, the rejection of claim 10 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the event comprises receiving a commit command; (See Column.9, lines 42-88, wherein a commit command is described to commit the changes; as taught by Gerraty)

As per Claim 20, the rejection of claim 19 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the lock command comprises a failsafe attribute; (See Column.9, lines 42, wherein the system comprises a failsafe attribute; as taught by Gerraty) and wherein the control unit initiates an action in response to failure of the session after receiving the lock command when the failsafe attribute is enabled; (See Column.9, lines 42-58, wherein the system performs a rollback in case of a time-out occurrence; as taught by Gerraty)

As per Claim 21, the rejection of claim 20 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the control unit initiates the failsafe attribute to execute a first rollback command to undo changes made in replacing the locked candidate configuration data with the archived configuration data prior to committing the candidate configuration data; **(See Column.9, lines 42-58, wherein the old configuration is maintained prior to the committing of the new configuration; as taught by Gerraty)**

As per Claim 26, the rejection of claim 24 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the control unit to confirm the candidate configuration data comprises a control unit to: temporarily commit the candidate configuration data to temporarily restore the archived configuration data as the operational configuration data; **(see Paragraph.53, wherein the updates appear on the functional area on the clients GUI temporarily until a confirmation commit is submitted to be implanted on the network device; as taught by Tanner)**

subsequently enable a timer to determine a period of time to an event; **(See Column.9, lines 42-88, wherein a timeout limit is disclosed; as taught by Gerraty)**

and permanently commit the candidate configuration data to restore the archived configuration data as the operational configuration data in response to an occurrence of the event **(See Paragraph.54, wherein a commit request is given to the user to apply changes to the network device; as taught by Tanner)** prior to the timer exceeding a pre-set time limit; **(See Column.9, lines 42-88, wherein a timeout limit is disclosed; as taught by Gerraty)**

As per Claim 27, the rejection of claim 26 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the event comprises receiving a commit command.; **(See Column.9, lines 42-88, wherein a commit command is described to commit the changes; as taught by Gerraty)**

As per Claim 35, the rejection of claim 34 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the lock command and load command comprise a failsafe attribute **(See Column.2,lines 50-60, wherein rolling back configurations is discloses; as taught by Gerraty)** and an override attribute respectively, **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

wherein the failsafe attribute causes a rollback command to undo changes made when the archived configuration data replaced the locked candidate configuration data in response to failure of the session prior to issuing the commit command, and the override attribute causes discarding of the candidate configuration data and replacement of the discarded candidate configuration with the archived configuration data; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

As per Claim 42, the rejection of claim 41 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the lock command and load command comprise a failsafe attribute **(See Column.9, lines 42, wherein the system comprises a failsafe attribute; as taught by Gerraty)** and an override attribute respectively, **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)** wherein the failsafe attribute causes a rollback command to undo changes made when the archived

configuration data replaced the locked candidate configuration data in response to failure of the session prior to issuing the commit command, **(See Column.9, lines 42-58, wherein the old configuration is maintained prior to the committing of the new configuration; as taught by Gerraty)**

and the override attribute causes discarding of the candidate configuration data and replacement of the discarded candidate configuration with the archived configuration data ; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

As per Claim 47, the rejection of claim 46 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses further comprising instructions to cause a processor to receive a lock command, **(See Paragraph.58, wherein a session is maintained with a client, wherein a lock request is received, loading and committing changes is done; as taught by Tanner)** wherein the lock command comprises a failsafe attribute; **(See Column.9, lines 42, wherein the system comprises a failsafe attribute; as taught by Gerraty)**

As per Claim 48, the rejection of claim 47 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses further comprising instructions to cause the processor to '1. maintain a session with the client; and automatically execute a first rollback command to undo changes made in replacing the locked candidate configuration data with the archived configuration data prior to committing the candidate configuration data in response to failure of the session when the failsafe attribute is enabled; **(See Column.9, lines 42-58, wherein the old**

configuration is maintained prior to the committing of the new configuration; as taught by Gerraty)

As per Claim 51, the rejection of claim 46 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses further comprising instructions to cause the processor to: temporarily commit the candidate configuration data to temporarily restore the archived configuration data as the operational configuration data; **(See Paragraph.53, wherein the updates appear on the functional area on the clients GUI temporarily until a confirmation commit is submitted to be implanted on the network device; as taught by Tanner)**

subsequently enable a timer to determine a period of time to an event; **(See Column.9, lines 42-88, wherein a timeout limit is disclosed; as taught by Gerraty)** and permanently commit the candidate configuration data to restore the archived configuration data as the operational configuration data in response to an occurrence of the event **(See Paragraph.54, wherein a commit request is given to the user to apply changes to the network device; as taught by Tanner)**

prior to the timer exceeding a pre-set time limit; **(See Column.9, lines 42-88, wherein a timeout limit is disclosed; as taught by Gerraty)**

As per Claim 54, the rejection of claim 53 is hereby incorporated by reference; the combination of Tanner, Boyle and Gerraty discloses wherein the lock command and load command comprise a failsafe attribute **(See Column.9, lines 42, wherein the system comprises a failsafe attribute; as taught by Gerraty)** and an override attribute respectively, **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

wherein the failsafe attribute causes a rollback command to undo changes made when the archived configuration data replaced the locked candidate configuration data in response to failure of a session prior to issuing the commit command, **(See Column.9, lines 42-58, wherein the old configuration is maintained prior to the committing of the new configuration; as taught by Gerraty)**

and the override attribute causes discarding of the candidate configuration data and replacement of the discarded candidate configuration with the archived configuration data; **(See Paragraph.58, wherein the updated configuration overrides the current configuration; as taught by Tanner)**

9. **Claims 16 and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over, Tanner et al. (2005/0114315) filed November 24, 2003, in view of Boyle (20030070063) Published April 10, 2003as previously applied to claims 1-3, 7-9, 12-15, 17-19, 22-25, 28-31, 33-34, 36-41, 43-46, 49, 50, 52, 53 and 55 and further in view of Slaby (6587124) Patent date July 1, 2003.

As per claim 16, the rejection of claim 15 is hereby incorporated by reference; the combination of Tanner and Boyle discloses wherein generating a configuration patch comprises: creating a temporary copy of the candidate configuration data; **(See Paragraph.48, lines 10-15, wherein all the updated configurations data may be viewed prior to committing; as taught by Tanner)**

However the combination of Tanner and Boyle fails to disclose merging the operational configuration data into the temporary copy to generate a list of updated configuration objects;

On the other hand Slaby discloses merging the operational configuration data into the temporary copy to generate a list of updated configuration objects; **(See Column.7, lines 1-7 and 57-67; as taught by Slaby)**

generating the configuration patch to list the updated configuration objects; **(See Column.8, 47-56, wherein a list of unique configuration ID associated with each configuration is stored; as taught by Slaby)**

Therefore, it would have been obvious to a person of ordinary skill in the computer art at the time of the invention was made to incorporate the Slaby teachings to the combined Tanner and Boyle system. One skilled in the art at the time of the invention would have been motivated to keep track and update the changes made to configuration files and eliminate inconsistency. In addition, the references (Tanner, Boyle and Slaby) are analogous art and they are directed to the same field of endeavor, such as, configuration management. This close relation between both of the references highly suggests an expectation of success.

As per Claim 32, the rejection of claim 31 is hereby incorporated by reference; the combination of Tanner, Boyle and Slaby discloses wherein generating a configuration patch comprises the control unit to create a temporary copy of the candidate configuration data, **(See Paragrpah.48, lines 10-15, wherein all the updated configurations data may be viewed prior to committing; as taught by Tanner)**merge the operational configuration data into the temporary copy to generate a list of updated configuration objects, **(See Column.7, lines 1-7 and 57-67; as taught by Slaby)** and generate the configuration patch to list the updated configuration objects; **(See Column.8, 47-56, wherein a list of unique configuration ID associated with each configuration is stored; as taught by Slaby)**

Response to Arguments

10. Applicant's arguments with have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(c) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-Form 892 for listed of cited references.

Point of Contact

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHERIEF BADAWI whose telephone number is (571)272-9782. The examiner can normally be reached on Monday through Friday 7:30-5:00, Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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